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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,457	08/29/2001	Jin-Oh Kwag	6192.0218.AA	5066

7590 02/19/2004
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EXAMINER

RICHARDS, N DREW

ART UNIT	PAPER NUMBER
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2815

DATE MAILED: 02/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/940,457	KWAG ET AL	
	Examiner	Art Unit	
	N. Drew Richards	2815	<i>AD</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 and 6 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Korea on 8/29/00. It is noted, however, that applicant has not filed a certified copy of the KR 2000-50546 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 7 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (U.S. Patent No. 6,469,764 B1).

Kim et al. disclose a panel for a liquid crystal display in figures 2 and 3 for example. Kim et al. disclose an insulating substrate 20, a first wire 21 formed on the insulating substrate 20, a second wire 22 intersecting the first wire, the second wire 22 insulated from the first wire 21 as taught on column 6 lines 49-53, a pixel electrode 25 in a pixel area defined by the intersection of the first wire and second wire, a domain-defining member provided over the insulating substrate, and a shading film 24 formed

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over the insulating substrate. The domain-defining member is the projections 25b of the pixel electrode and the openings formed between projections 25b. The shading film has a plane view different from the domain-defining member and overlaps the domain-defining member at least in part.

With regard to claim 2, the domain-defining member comprises projections 25b projecting outward from pixel electrode 25.

With regard to claim 3, the pixel electrode has an opening pattern between sections 25b and the domain-defining member comprises the opening pattern.

With regard to claim 4, the domain-defining member comprises the projections and openings of the pixel electrode.

With regard to claim 7, an outline of a portion of the domain-defining member overlapping the shading film is encircled by an outline of the shading film.

With regard to claim 9, the shading film covers a texture around the domain-defining member. Since the shading film outlines and covers a portion of the domain-defining member it also covers any the texture around the domain-defining member.

4. Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Rho et al. (U.S. Patent No. 6,057,896).

Rho et al. disclose a panel for a liquid crystal display in figures 2 and 3 for example. Rho et al. disclose an insulating substrate 10, a first wire 21 formed on the insulating substrate, a shading film 30 formed on the insulating substrate and being apart from the first wire, a first insulating film 40 formed on the first wire and the shading

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film, a second wire 81 formed on the first insulating film, a second insulating film 100 formed on the second wire and the first insulating film, and a pixel electrode 140 formed on the second insulating film and the insulating substrate connected to a portion of the second wire, wherein the pixel electrode has a height difference ranging from a height of the insulating substrate to a height of the shading film, first insulating film and second insulating film.

Allowable Subject Matter

5. Claims 5 and 6 are allowed.

Response to Arguments

6. Applicant's arguments filed 12/16/03 have been fully considered but they are not persuasive. Applicant has argued that the counter electrode of Kim et al. is not a shading electrode. The claim nowhere mentions a shading electrode, thus this argument is not relevant to the invention as claimed. Applicant also argued that the counter electrode of Kim is not a shading film as is commonly known in the art. Applicant has merely claimed a "shading" film on the insulating substrate with a certain plane view. Kim et al. teach a film that is considered a shading film as it has the same structure as the shading film claimed. Thus, there is not structural difference between Kim et al. and the invention as claimed.

Applicant also argues that layer 30 of Rho et al. is not a shading film. Applicant has not claimed any specific material for the shading film and has merely claimed a

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shading film apart from the first wire and the shading film contributing to the height difference of the pixel electrode. Layer 30 of Rho et al. has all these features and thus reads on the shading film as claimed in claim 8. Thus, the rejections are deemed proper.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to N. Drew Richards whose telephone number is (571) 272-1736. The examiner can normally be reached on M-F 8:00-5:30; Every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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